

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

ROOR INTERNATIONAL BV, et al.	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 1:18-cv-04039-SEB-DML
	)	
BEN JAMMIN'S INC, et al.	)	
	)	
Defendants.	)	

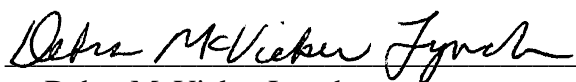
Report and Recommendation to  
Partially Dismiss Complaint without Prejudice

On September 16, 2019, the court issued an order to show cause to the plaintiffs (Dkt. 40). The plaintiffs were ordered to show cause by September 27, 2019, why the complaint against defendant Brad Holmes should not be dismissed because of their failure to serve defendant Holmes within 90 days of its filing. To date, the plaintiffs have not responded to the order to show cause.

Because of plaintiffs' failure to comply with the court's order, the Magistrate Judge recommends to the District Judge that the complaint be DISMISSED WITHOUT PREJUDICE as to defendant Brad Holmes. Any objections to the Magistrate Judge's Report and Recommendation must be filed in accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). Failure to file objections within fourteen days after service will constitute a waiver of subsequent review absent a showing of good cause for such failure.

IT IS SO RECOMMENDED.

Date: 10/1/2019

  
Debra McVicker Lynch  
United States Magistrate Judge  
Southern District of Indiana

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